

MULTIMEDIA



UNIVERSITY

STUDENT IDENTIFICATION NO

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2018 / 2019

BLL3124 – LABOUR LAWS

(All sections / Groups)

26 OCTOBER 2018

3.00pm – 5.00pm

(2 Hours)

INSTRUCTIONS TO STUDENTS

1. This question paper consists of **THREE (3)** pages with **FIVE (5)** questions only.
2. Attempt **FOUR (4)** out of **FIVE (5)** questions. All questions carry equal marks and the distribution of the marks for each question is given.
3. Please write all your answers in the answer booklet provided.

QUESTION 1

Government Considers New Measures to Tackle Human Trafficking

30th June 2018 - Hefty penalties for offenders and leeway for victims to seek employment are among measures the government will seek to implement in combating human trafficking. Acknowledging Malaysia's downgrade in the United States' latest annual report on human trafficking, Home Minister Tan Sri Muhyiddin Yassin pledged to further improve Malaysia's anti-trafficking efforts. He said the report will be used as a guide to evaluate ongoing measures. Muhyiddin said the government will consider the proposal to amend the Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007, giving focus on the protection of human trafficking victims and prevention by increasing the penalties.

He said implementation of regulations would be improved to permit the trafficked victims to freely move around and work. "The report states that Malaysia did not fully meet the minimum standards in eliminating human trafficking." "The government takes note of the TIP (Trafficking in Person) annual report and will continue to be committed in eradicating the human trafficking crime," Muhyiddin said in a statement today. He said Malaysia had been placed on the Tier 2 watch list for nine times throughout the 2006-2018 period. The United States - State Department in its 2018 US Trafficking in Persons (TIP) report released on Thursday, has placed Malaysia in the Tier 2 watch list, which is a drop from Tier 2 rank in 2017.

The evaluation was conducted on 187 countries including Malaysia and comprises the aspects of prevention, enforcement and protection. Muhyiddin also said other measures to strengthen efforts to curb this crime includes increasing prevention efforts through close cooperation with NGOs, industries and integrated action between agencies. He said there will be significant improvements on labour laws including the implementation of foreign labour levy by employers since Jan 1 and the amendments to the Private Employment Agencies Act to increase penalties on agencies that fail to comply with labour laws.

Adapted from: <http://www.thesundaily.my/news/2018/06/30/government-considers-new-measures-tackle-human-trafficking>

Continued...

- (a). Based from your understanding from the case above, list **TEN (10)** factors that contribute towards human trafficking in Malaysia.
(10 marks)
- (b). From your opinion, explain **FIVE (5)** consequences that will affect Malaysia if the government did not taking any actions human trafficking?
(10 marks)
- (c). Discuss **TWO (2)** practical options that you can implement in controlling human trafficking in Malaysia.
(5 marks)
(Total: 25 marks)

QUESTION 2

Employment Provident Fund is a federal statutory body under the purview of the Ministry of Finance. It manages the compulsory savings plan and retirement planning for private sector workers in Malaysia. Membership of the EPF is mandatory for Malaysian citizens employed in the private sector, and voluntary for non-Malaysian citizens.

Discuss any **FIVE (5)** current scheme of withdrawal that contributors can apply before reaching their retirement age.

(25 marks)

QUESTION 3

Child labour is work that is mentally, physically, socially or morally dangerous and harmful to children. It interferes with their schooling by depriving them of the opportunity to attend school, obliging them to leave school prematurely or to combine school attendance with excessively long and/or heavy work. Whether a job is classified as child labour depends on the child's age, the type and hours of work performed, and the impact of the work on the child's health, development and access to education.

Discuss **FIVE (5)** justification on how the Children and Young Persons (Employment) Act 1966 regulates the employment and their working conditions.

(25 marks)

Continued...

QUESTION 4

Women and men often participate in economic sectors in sharply different proportions, a result of gender clustering in occupations. Reasons for this may include a traditional association of certain types of work with a particular gender. There is a wide range of other possible economic, social and cultural variables that impact the gender distribution in different occupations, including within a region or country.

Elaborate **FIVE (5)** special protections on how Employment Act 1955 regulates the employment of women in Malaysia.

(25 marks)

QUESTION 5

SOCSSO (Social Security Organization), also known as PERKESO (Pertubuhan Keselamatan Sosial), was established to provide social security protections to all employees/workers in Malaysia. Every company is required to contribute SOCSSO for its employees, whether they are full/part time, permanent or temporary, employment or contract. A company must remit the contribution sum to Perkeso Office before the end of the following month.

Discuss **FIVE (5)** benefits provided by SOCSSO towards all contributors.

(25 marks)

End of Paper